

City of Jacksonville, Florida

Lenny Curry, Mayor

City Hall at St. James
117 W. Duval St.
Jacksonville, FL 32202
(904) 630-CITY
www.coj.net

December 3, 2020

The Honorable Tommy Hazouri, President
The Honorable Michael Boylan, LUZ Chair
And Members of the City Council
117 West Duval Street
Jacksonville, Florida 32202

RE: Planning Commission Advisory Report / Ordinance No. 2020-683/Application No. L-5487-20C

Dear Honorable Council President Hazouri, Honorable Council Member and LUZ Chairman Boylan and Honorable Members of the City Council:

Pursuant to the provisions of Section 650.405 *Planning Commission Advisory Recommendation and Public Hearing*, the Planning Commission **APPROVE** Ordinance 2020-683 on December 3, 2020.

P&DD Recommendation	APPROVE
PC Issues:	None
PC Vote:	7-0 APPROVE

Joshua Garrison, Chair	Aye
Dawn Motes, Vice-Chair	Absent
David Hacker, Secretary	Aye
Marshall Adkison	Aye
Daniel Blanchard	Aye
Ian Brown	Aye
Alexander Moldovan	Aye
Jason Porter	Aye

Planning Commission Report
December 3, 2020
Page 2

If you have any questions or concerns, please do not hesitate to contact me at your convenience.

Sincerely,

Kristen D. Reed

Kristen D. Reed, AICP
Chief of Community Planning Division
City of Jacksonville - Planning and Development Department
214 North Hogan Street, Suite 300
Jacksonville, FL 32202
(904) 255-7837
KReed@coj.net

Report of the Jacksonville Planning and Development Department

Small-Scale Future Land Use Map Amendment – November 25, 2020

Ordinance/Application No.: 2020-683 / L-5487-20C

Property Location: 8565 Mallory Road; Between Beaver Street and Interstate 10

Real Estate Number(s): 006962-0010

Property Acreage: 1.61 Acres

Planning District: District 5, Northwest

City Council District: District 12

Applicant: Paul Harden, Esquire

Current Land Use: Light industrial (LI)

Development Area: Urban

Proposed Land Use: Heavy Industrial (HI)

Current Zoning: Industrial Light (IL)

Proposed Zoning: Industrial Heavy (IH)

RECOMMENDATION: APPROVE

APPLICANT’S JUSTIFICATION FOR THE LAND USE MAP AMENDMENT

An industrial manufacturing, distribution, storage or wholesaling use, specifically insecticide.

BACKGROUND

The applicant proposes a future land use map amendment from Light Industrial (LI) to Heavy Industrial (HI) and a rezoning from Industrial Light (IL) to Industrial Heavy (IH) to allow a heavy industrial use, specifically insecticide. The companion rezoning is pending concurrently with this land use amendment application pursuant to Ordinance 2020-684.

The property currently includes warehouse uses and is located on the north side of Mallory Street, west of Devoe Street, both local roadways. The site is between Beaver Street, a principal arterial roadway, and I-10, a limited access highway.

The property is surrounded by light industrial, warehousing and open storage uses.

The adjacent land use categories, zoning districts and property uses are as follows:

North: Land Use: L I

Zoning: I L

Property Use: warehousing, open storage, CSX rail line

South: Land Use: L I

Zoning: I L

Property Use: warehousing, open storage, undeveloped industrial land, a single family house

East: Land Use: L I, CGC, LDR

Zoning: I L, CCG-1, RLD-60

Property Use: light manufacturing, warehouse, undeveloped commercial land, a single family house

West: Land Use: L I

Zoning: I L

Property Use: open storage, undeveloped industrial land

IMPACT ASSESSMENT

Potential impacts of a proposed land use map amendment have been analyzed by comparing the Development Impact Standards for the subject site's existing vs. proposed land use categories unless maximum density/intensity is noted on the Annotated FLUM or is in a site specific policy. Development Impact Standards are detailed in FLUE Policy 1.2.16, *Development Standards for Impact Assessment*. These standards produce development potentials as shown in this section.

Impact Assessment Baseline Review

Development Analysis		
Development Boundary	Urban Area	
Roadway Frontage Classification / State Road	Mallory Road – Local Roadway	
Plans and/or Studies	Northwest Jacksonville Vision Plan / Marietta Neighborhood Plan 1979	
Site Utilization	Current: Warehouse building	Proposed: Light Industrial Uses- manufacturing, distribution, storage or wholesaling- insecticide.
Land Use / Zoning	Current: LI / IL	Proposed: HI / IH
Development Standards for Impact Assessment	Current: 0.40 FAR	Proposed: 0.40 FAR

Development Analysis		
Development Potential	Current: 28,052.64 sq. ft.	Proposed: 28,052.64 sq. ft.
Net Increase or Decrease in Maximum Density	Not Applicable	
Net Increase or Decrease in Potential Floor Area	No Net Increase or Decrease	
Population Potential	Current: Not applicable	Proposed: Not Applicable
Special Designation Areas		
Aquatic Preserve	No	
Septic Tank Failure Area	No	
Airport Environment Zone	300-foot Height Restriction Zone for Herlong Recreational Airport and OLF Whitehouse; 60 db Noise Contour for OLF Whitehouse; Military Notice Zone for OLF Whitehouse; OLF Whitehouse Lighting Regulation Zone	
Industrial Preservation Area	No	
Cultural Resources	No	
Archaeological Sensitivity	Low Sensitivity	
Historic District	No	
Coastal High Hazard/Adaptation Action Area	No	
Groundwater Aquifer Recharge Area	0-4 inches	
Wellhead Protection Zone	No	
Boat Facility Siting Zone	No	
Brownfield	No	
Public Facilities		
Potential Roadway Impact	zero net new daily trips	
Potential Public School Impact	Not applicable	
Water Provider	JEA- according to the applicant	
Potential Water Impact	Increase of 56.105 gallons per day	
Sewer Provider	JEA- according to the applicant	
Potential Sewer Impact	Increase of 42.079 gallons per day	
Potential Solid Waste Impact	No Increase or Decrease	
Drainage Basin/Sub-basin	Ortega River / Cedar Creek	
Recreation and Parks	Thomas Jefferson Park northeast of site	
Mass Transit Access	No	
Natural Features		
Elevations	0-29 feet	
Land Cover	1550: Other light industrial	
Soils	32: Leon fine sand, 0 to 2 percent slopes	
Flood Zones	No	

Development Analysis	
Wetlands	No
Wildlife (applicable to sites greater than 50 acres)	Not Applicable

Utility Capacity

The calculations to determine the water and sewer flows contained in this report and/or this spreadsheet have been established by the City of Jacksonville Planning and Development Department and have been adopted by JEA solely for the purpose of preparing this report and/or this spreadsheet. The method of calculating water and sewer flows in order to properly size infrastructure shall continue to be based on JEA's Water, Sewer and Reuse for New Development Projects document (latest edition).

According to the land use amendment application, the site will be served by JEA for both water and sewer. The JEA Availability letter provided by the applicant dated February 21, 2020 identifies a water main within the Mallory Road right-of-way, approximately 325 feet from the property, requiring water main construction in the right-of-way and individual water services. Additionally, an existing force main for sewer connection is within the Devoe Street right-of-way, approximately 1,200 feet east of the property, requiring for connection the design and construction of an onsite, privately owned and maintained pump station, and a JEA dedicated force main.

In accordance to Chapter 381, F.S., the site cannot dispose of industrial wastes into private septic systems. Construction permits may not be issued for an onsite sewage treatment and disposal system in any area used or zoned for industrial or manufacturing purposes where a publicly owned or investor owned sewage treatment system is available (located within one-fourth mile) or where the system will receive toxic, hazardous, or industrial waste. Buildings located in areas zoned or used for industrial or manufacturing purposes, when such buildings are to be served by onsite sewage treatment and disposal systems, must receive written approval from the Department of Health. Approvals will not be granted when the proposed use of the system is to dispose of toxic, hazardous, or industrial wastewater or toxic or hazardous chemicals. Once an onsite disposal system is permitted, the owner must obtain an annual system operating permit and change of use requires the owner or tenant to obtain a new annual system operating permit from the Department of Health.

Infrastructure Element, Sanitary Sewer Sub-Element

Policy 1.1.1 JEA shall provide for regional wastewater facilities associated with development within the Urban Area as defined in the Future Land Use and Capital Improvements Element, excluding improvements within the service area of an investor-owned public utility company of regional status.

Transportation

The Planning and Development Department completed a transportation analysis and determined that the proposed amendment will result in no net new daily external

trips. This analysis is based upon the comparison of what potentially could be built on that site versus the maximum development potential. Trips generated by the new development will be processed through the Concurrency and Mobility Management System Office. A copy of the transportation analysis is on file with the Planning and Development Department.

Transportation Element

Policy 1.2.1 The City shall use the Institute of Transportation Engineers *Trip Generation Manual*, latest edition, to determine the number of trips to be produced or attracted to a particular land use when assessing a traffic impact.

Capital Improvements Element

Policy 1.6.1 Upon adoption of the Mobility Plan implementing ordinance, the City shall cease transportation concurrency and use a quantitative formula for purposes of assessing a landowner's mobility fee for transportation impacts generated from a proposed development, where the landowner's mobility fee shall equal the cost per vehicle miles traveled (A); multiplied by the average vehicle miles traveled per Development Area (B); multiplied by the daily trips (C); subtracted by any trip reduction adjustments assessed to the development.

Supplemental Transportation Information

Objective 2.4 of the Transportation Element (TE) of the 2030 Comprehensive Plan requires that the City shall coordinate the mobility circulation system with the future land uses shown on the Future Land Use Map series in order to ensure that roads, road improvements and other mobility alternative improvements are provided as necessary to support development in an economically efficient and environmentally sound manner.

Policy 2.4.2 of the TE of the 2030 Comprehensive Plan requires that the City shall amend the adopted Comprehensive Plan to incorporate the data and analysis generated by a periodic regional transportation model and study and facilitate the implementation of the study recommendations.

These two Comprehensive Plan policies ensure that the transportation impact related to land use amendments are captured in the Long Range Transportation Plan (LRTP) that is conducted every 5 years. This analysis includes the cumulative effect of all land use amendments that were approved within this time period. This plan identifies the future transportation needs and is used to create cost feasible roadway needs that can be funded by the City's Mobility Strategy Plan.

Mobility needs vary throughout the city and in order to quantify these needs, the city was divided into 10 Mobility Zones. The Mobility Strategy Plan identifies specific transportation strategies and improvements to address traffic congestion and mobility needs for each mode of transportation. The project site is located in Mobility Zone 5.

Subject site is accessible via Mallory Road, a local road and Hammond Boulevard, a 4-lane divided collector facility. The proposed HI development is not anticipated to have any significant traffic impact on the roadway network.

Airport Environment Zone

The site is located within the 300 foot Height and Hazard Zone for the Herlong Recreational Airport and OLF Whitehouse. Zoning will limit development to a maximum height of less than 300', unless approved by the Jacksonville Aviation Authority or the Federal Aviation Administration. Uses located within the Height and Hazard Zone must not create or increase the potential for such hazards as electronic interference, light glare, bird strike hazards or other potential hazards to safe navigation of aircraft as required by Section 656.1005.1(d).

The site is also within the 60 db Day-Night Sound Level (DNL) noise contour range. As such this area is within the Military Notice Zone for OLF Whitehouse. In accordance with Section 656.1010, the plat for a subdivision shall indicate which lots are located within a Civilian Influence Zone. No person shall sell, transfer, or lease land within a Civilian Influence Zone, unless the prospective owner, transferee or lessee has been given a disclosure of airport proximity in writing, at the time of contract of sale, transfer, or lease.

Additionally, this site is in the Lighting Regulation Zone for OLF Whitehouse. In accordance with 656.1005.2(d)(6), all artificial lighting equipment, including but not limited to flood lights and search lights, whether temporary or permanent installations, shall have positive optical controls so that no light is emitted above the horizontal plane. No building permit shall be granted in this zone unless this requirement has been met.

Future Land Use Element

Objective 2.5 Support and strengthen the role of Jacksonville Aviation Authority (JAA) and the United States Military in the local community, and recognize the unique requirements of the City's other airports (civilian and military) by requiring that all adjacent development be compatible with aviation-related activities.

Policy 2.5.5C Within the 60DNL or higher area as depicted on Map L-22, entertainment assembly uses are only permitted in PUD developments or pursuant to preliminary site development reviews in accordance with Section 656.1003 that were approved prior to March 27, 2007 or those uses meeting the nonconforming uses definition in Section 656.1008 of the City of Jacksonville Zoning Code. All other uses are allowed subject to disclosure requirements.

Policy 2.5.6 To ensure safety and education of citizens occupying properties that are located near military and civilian airports, the City requires disclosure of airport proximity to prospective owners or lessees in the Military and Civilian Influence Zones depicted on Map L-22.

Policy 2.5.7

In cooperation with the US Military and to preserve the utility of the field for simulated night carrier landings or related missions, the City has designated, through the land development regulations, a lighting regulation zone around Outlying Field (OLF) Whitehouse, requiring that all artificial lighting equipment have positive optical control so that no light is emitted above the horizontal plane. The United States Military has requested this special designation for OLF Whitehouse because of its special fleet carrier landing practice mission.

Archaeological Sensitivity

According to the Duval County Archaeological Predictive Model, the subject property is located within an area of low sensitivity for the presence of archaeological resources. If archaeological resources are found during future development/redevelopment of the site, Section 654.122 of the Code of Subdivision Regulations should be followed.

Historic Preservation Element

Policy 1.2.6 The Planning and Development Department shall maintain and update for planning and permitting purposes, a U.S.G.S. series of topographic maps upon which recorded archaeological sites are shown.

Aquifer Recharge

The site is located within an area identified as being in the 0 to 4 inch per year aquifer recharge area. This range is below the threshold of 12 inches or more per year which would constitute a prime recharge area as defined in the Infrastructure Element – Aquifer Recharge Sub-Element (IE-AR). Prime aquifer recharge areas are the primary focus of groundwater resource protections. However, development resulting from the proposed land use amendment will be reviewed during the site plan review and permitting process for compliance with the land development regulations that have been established to protect groundwater resources. Such regulations address issues such as drainage systems, septic systems, and landscape/irrigation regulations.

IE-AR

Policy 1.2.8 Within two years of establishment by the SJRWMD and the Water Resources Management Plan of prime recharge areas for the Floridian Aquifer, the Planning and Development Department shall prepare maps of such designated areas showing the special zoning and land use consideration the City has established for such areas as designated by the latest update of the Floridian Aquifer Recharge GIS grid coverage.

PROCEDURAL COMPLIANCE

Upon site inspection by the Planning and Development Department on November 13, 2020, the required notices of public hearing signs were posted. Twenty (20) notices were mailed out to adjoining property owners informing them of the proposed land use change and pertinent public hearing and meeting dates.

The Citizen Information Meeting was held on November 16, 2020. No one from the public was in attendance.

CONSISTENCY EVALUATION

Consistency with 2030 Comprehensive Plan Goals, Objectives and Policies Future Land Use Element (FLUE)

- Goal 1 To ensure that the character and location of land uses optimize the combined potentials for economic benefit and enjoyment and protection of natural resources, while minimizing the threat to health, safety and welfare posed by hazards, nuisances, incompatible land uses and environmental degradation.
- Policy 1.1.5 The amount of land designated for future development should provide for a balance of uses that:
- A. Fosters vibrant, viable communities and economic development opportunities;
 - B. Addresses outdated development patterns;
 - C. Provides sufficient land for future uses that allow for the operation of real estate markets to provide adequate choices for permanent and seasonal residents and businesses and is not limited solely by the projected population.
- Policy 1.1.21 Future amendments to the Future Land Use Map series (FLUMs) shall include consideration of their potential to further the goal of meeting or exceeding the amount of land required to accommodate anticipated growth and the projected population of the area and to allow for the operation of real estate markets to provide adequate choices for permanent and seasonal residents and business consistent with FLUE Policy 1.1.5. The projected growth needs and population projections must be based on relevant and appropriate data which is collected pursuant to a professionally acceptable methodology. In considering the growth needs and the allocation of land, the City shall also evaluate land use need based on the characteristics and land development pattern of localized areas. Land use need identifiers include but may not be limited to, proximity to compatible uses, development scale, site limitations, and the likelihood of furthering growth management and mobility goals.
- Policy 1.2.9 Require new development and redevelopment in the Central Business District, Urban Priority Area, Urban Area, and Suburban Area to be served by centralized wastewater collection and potable water distribution systems when centralized service is available to the site. New septic tanks in this area maybe permitted only as interim facilities pursuant to the requirements of the Sanitary Sewer Sub-Element.

Objective 3.2 Continue to promote and sustain the viability of existing and emerging commercial and industrial areas in order to achieve an integrated land use fabric which will offer a full range of employment, shopping, and leisure opportunities to support the City's residential areas. Plan and have an adverse impact on adjoining or nearby uses. Consider office and high density residential development as a viable alternative in land use reviews.

Policy 3.2.1 The City shall promote development of commercial and light/service industrial uses in the form of nodes, corridor development, centers or parks.

Policy 3.2.7 The City shall implement the locational criteria of this element for commercial and industrial uses consistent with the character of the areas served, availability of public facilities, and market demands.

According to the Category Description of the Future Land Use Element (FLUE), the L I Future Land Use Category is intended to provide for the location of industrial uses which have fewer objectionable impacts than Heavy Industrial on residential areas such as noise, odor, toxic chemicals and wastes. Generally, light assembly, manufacturing, packing, processing, and storage/warehousing are principal uses in this category.

The H I Future Land Use category uses are generally the most likely to produce adverse physical and environmental impacts on adjacent residential areas such as noise, land, air and water pollution and transportation conflicts. Heavy Industrial uses shall be located with convenient access to the transportation network that includes major highways, railroads, airports and port facilities. Principal uses include uses such as mining, heavy manufacturing, repair, fabrication and processing.

According to the application, the H I land use category is needed in order to use the property for insecticide manufacturing which can only be accommodated in the H I land use category and IH zoning district. The proposed land use amendment to H I is compatible with the surrounding open storage, warehousing, manufacturing and industrial uses and will promote industrial development and continue to promote the viability of an industrial use in the City achieving consistency with FLUE Goal 1, Objective 3.2, and Policies 3.2.1, and 3.2.7.

The amendment provides for additional H I designated land in order to allow for insecticide processing in an area that is surrounded with industrial uses and has the capacity to support such use. While FLUE Table L-20 identifies sufficient industrial land uses, the proposed land use amendment proposing a change from one industrial use to another would have minimal impact on the overall provision of industrial designated lands. Additionally, characteristics of the surrounding area demonstrate the amendment would result in compatible uses and development scale. Therefore, the amendment is consistent with FLUE Policies 1.1.5 and 1.1.21.

In accordance with Chapter 381, F.S., the site cannot dispose of industrial wastes into private septic systems. According to the land use amendment application and the JEA Availability Letter provided by the applicant dated February 21, 2020, the site can be served by JEA for both water and sewer providing consistency with FLUE Policy 1.2.9.

Marietta Neighborhood Plan 1979

The land use amendment site is within the boundaries of the Marietta Neighborhood Plan of 1979. While the development patterns of the larger area may have changed since the Plan was published, the immediate area of the land use amendment site is consistent with the Plan's recommended industrial land use for the subject site and the surrounding area.

Vision Plan

The site is located within the boundary of the Northwest Jacksonville Vision Plan. The proposed land use amendment is consistent with Guiding Theme 3, which seeks to focus on creating centers and organizing growth within the district. Continuing an industrial use in a larger area of industrial uses is consistent with the Vision Plan's direction and continues the existing organized growth of uses in this area.

Strategic Regional Policy Plan

The proposed amendment is consistent with the following Goal of the Strategic Regional Policy Plan, Economic Development Element:

Goal 2.3 An environment that is conducive to the creation and relocation of new businesses as well as the expansion of existing businesses in the northeast Florida region.

The proposed land use amendment promotes an environment that is conducive to the creation of new business thereby providing an opportunity to further local economic growth. Therefore, the proposed amendment is consistent with Goal 2.3 of the Strategic Regional Policy Plan, Economic Development Element.

LAND USE AMENDMENT
FIELD / LOCATION / CURRENT LAND USE MAP

